

REMARKS/ARGUMENTS

Claims 1 to 2, 6 and 14 to 16 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Gierer (US 6,471,027) in view of Sponable (US 5,827,149). Claims 4 to 5 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Gierer (US 6,471,027) in view of Sponable (US 5,827,149) as applied to claim 1, and further in view of Knappe (GB 1,119,957). Claim 3 was objected to, but was indicated as being allowable if rewritten in independent form.

Claims 7 to 13 have been canceled without prejudice.

Reconsideration of the application is respectfully requested.

Claim Objections

Claim 3 was objected to, but was indicated as being allowable if rewritten in independent form.

Withdrawal of objection to claim 3 is respectfully requested in view of the following.

35 U.S.C. 103 Rejections

Claims 1 to 2, 6 and 14 to 16 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Gierer (US 6,471,027) in view of Sponable (US 5,827,149).

Gierer discloses a magnet 5 through which a current flows, the magnet 5 actuating a locking system 13. A pawl 15 engages a parking gear 16 as a result of a piston 2 by a spring 6. "By applying a hydraulic pressure in a piston chamber 11, the piston is moved to the opposite end position against the tension of the spring 6 and the pawl 15 releases the parking gear of a shaft 17 of the automatic transmission." Col. 2, lines 40 to 44.

Sponable describes an electrically powered park lock actuator. The actuator 10 comprises a pair of two electric motors 46 acting via a speed reduction gear train to move a locking pawl into and out of engagement with a gear on the transmission output shaft. "As long as the transmission 12 remains in a gear range other than Park, ECU 18 leaves the lock actuator 10 dennergized." See Col. 5, lines 60 to 63. The lock actuator 10 has two electric motors and gearing (See col. 4, lines 18 to 22).

Claim 1 recites a device for controlling an electrically-operated holding magnet of a

parking lock of a motor vehicle transmission, the holding magnet being supplied with power via a transmission control resettable to a basic setting and for holding the parking lock in a disengaged state, the device comprising:

an apparatus for bridging a reset operation of the transmission control, the apparatus maintaining a power supply of the holding magnet during the reset operation.”

It is respectfully submitted that neither Gierer not Sponable does not teach or show “an apparatus for bridging a reset operation of the transmission control, the apparatus maintaining a power supply of the holding magnet during the reset operation.”

Sponable does not have any holding magnet at all and does not maintain any power to any holding magnet at all. Moreover, the park lock actuator 10 is just for the transmission and cannot even be engaged in Neutral, but only in Park. See col. 48 to 50. Thus the transmission control of Sponable is totally different and does not even address the problem of the present invention.

It is further respectfully submitted that one of skill in the art would not have modified Gierer to provide “an apparatus for bridging a reset operation of the transmission control, the apparatus maintaining a power supply of the holding magnet during the reset operation” as the control devices and parking locks are totally different, and neither reference shows or teaches such an apparatus.

Moreover, even if somehow Sponable would teach the functionality of maintaining a parking lock in a disengaged state during a reset operation (which it is respectfully submitted it does not), there is no reason or teaching in Sponable to modify Greirer to provide this functionality via the magnet, as many other parts of Grierer could be modified to do so.

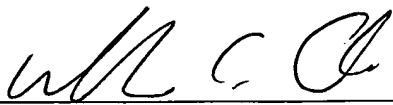
Claims 4 to 5 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Gierer (US 6,471,027) in view of Sponable (US 5,827,149) as applied to claim 1, and further in view of Knappe (GB 1,119,957). In view of the above, withdrawal of this rejection is also respectfully requested.

Withdrawal of the rejection to claims 1, 2, 4 to 6, and 14 to 16 is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,
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